

TRADE AND INVESTMENT

Beef Grading Programs

**Agreement Between
the UNITED STATES OF AMERICA
and CHILE**

Effectuated by Exchange of Letters at
Washington and Santiago March 26, 2009



NOTE BY THE DEPARTMENT OF STATE

Pursuant to Public Law 89—497, approved July 8, 1966
(80 Stat. 271; 1 U.S.C. 113)—

“. . .the Treaties and Other International Acts Series issued under the authority of the Secretary of State shall be competent evidence . . . of the treaties, international agreements other than treaties, and proclamations by the President of such treaties and international agreements other than treaties, as the case may be, therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public offices of the United States, and of the several States, without any further proof or authentication thereof.”

CHILE

Trade and Investment: Beef Grading Programs

*Agreement effected by exchange of letters at
Washington and Santiago March 26, 2009;
Entered into force March 26, 2009.*

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

MAR 26 2009

Dear Mr. Rebollo, ,

I have the honor to confirm the following understanding reached in connection with the operation of Article 3.17 of the United States-Chile Free Trade Agreement (Agreement) between the Governments of the United States of America (United States) and the Republic of Chile (Chile):

1. Chile reiterates the acknowledgement set forth in paragraph 1 of the "Commitments Regarding Mutual Recognition of the Chilean and U.S. Grading Programs" in Annex 3.17 of the Agreement that the Agricultural Marketing Service (AMS) of the U.S. Department of Agriculture (USDA) is a competent entity of grading quality, certifying all materials referred to in Article 5 of Chilean Regulation No. 19162, with respect to meats exported to Chile from the United States.
2. The United States and Chile recognize that, for purposes of Annex 3.17 of the Agreement, the USDA Food Safety and Inspection Service (FSIS) is the entity that issues the official sanitary certification, which includes the official AMS certification of all materials referred to in Article No. 5 of Chilean Regulation No. 19162, with respect to meats exported to Chile from the United States.

I have the honor to propose that this letter and your letter in reply, confirming that your Government shares this understanding, shall constitute an agreement between our two Governments that shall enter into force on the date of your letter in reply.

Sincerely,



James M. Murphy, Jr.

Assistant U.S. Trade Representative for Agricultural Affairs

Santiago, 26 MAR. 2009

Sr. James M. Murphy, Jr.
Assistant U.S. Trade Representative for Agricultural Affairs
Washington, DC

Estimado Señor Murphy,

Tengo el honor de acusar recibo de su carta de fecha 26 de marzo de 2009. Su carta dice lo siguiente:

“Tengo el honor de confirmar el siguiente entendimiento alcanzado en relación a la operación del Artículo 3.17 del Tratado de Libre Comercio Chile - Estados Unidos (el Tratado) entre los Gobiernos de los Estados Unidos de América (Estados Unidos) y de la República de Chile (Chile):

1. Chile reitera el reconocimiento establecido en el párrafo 1 de los “Compromisos referidos al reconocimiento mutuo de los programas de clasificación de Chile y Estados Unidos” en el Anexo 3.17 del Tratado de que el *Agricultural Marketing Service (AMS)* del Departamento de Agricultura de los Estados Unidos (USDA) es una entidad competente para efectos de clasificación de calidad que certificará todo el material a que hace referencia el Artículo 5 de la Ley No. 19,162 de Chile con respecto a las carnes exportadas a Chile desde Estados Unidos.
2. Los Estados Unidos y Chile reconocen que, para efectos del Anexo 3.17 del Tratado, el USDA *Food Safety and Inspection Service (FSIS)* es la entidad que emite la certificación sanitaria oficial, la que incluye la certificación oficial del AMS de todo el material a que hace referencia el Artículo 5 de la Ley No. 19,162 de Chile con respecto a las carnes exportadas a Chile desde Estados Unidos.

Tengo el honor de proponer que esta carta y vuestra carta de respuesta, confirmando que su Gobierno comparte este entendimiento, constituyan un acuerdo entre nuestros Gobiernos que entrará en vigor en la fecha de vuestra carta de respuesta”.



GOBIERNO DE CHILE
DIRECCION GENERAL DE RELACIONES
ECONOMICAS INTERNACIONALES

Tengo asimismo el honor de confirmar que mi Gobierno comparte este entendimiento y que vuestra carta y esta respuesta constituyan un acuerdo entre nuestros Gobiernos que entrara en vigor en la fecha de esta carta.

Le saluda muy atentamente,



Andrés Rebollo

Director de Asuntos Económicos Bilaterales
Dirección General de Relaciones Económicas Internacionales

COURTESY TRANSLATION

James M. Murphy, Jr.
Assistant U.S. Trade Representative for Agricultural Affairs
Office of the U.S. Trade Representative
600 Seventeenth Street, N.W.
Washington, D.C. 20508

Dear Mr. Murphy:

I have the honor to acknowledge your letter of March 26, 2009, which reads as follows:

"I have the honor to confirm the following understanding reached in connection with the operation of Article 3.17 of the United States-Chile Free Trade Agreement (Agreement) between the Governments of the United States of America (United States) and the Republic of Chile (Chile):

1. Chile reiterates the acknowledgement set forth in paragraph 1 of the "Commitments Regarding Mutual Recognition of the Chilean and U.S. Grading Programs" in Annex 3.17 of the Agreement that the Agricultural Marketing Service (AMS) of the U.S. Department of Agriculture (USDA) is a competent entity of grading quality, certifying all materials referred to in Article 5 of Regulation No. 19,162, with respect to meats exported to Chile from the United States.
2. The United States and Chile recognize that, for purposes of Annex 3.17 of the Agreement, the USDA Food Safety and Inspection Service (FSIS) is the entity that issues the official sanitary certification, which includes the official AMS certification of all materials referred to in Article 5 of Regulation No. 19,162, with respect to meats exported to Chile from the United States.

I have the honor to propose that this letter, and your letter in reply, confirming that your Government shares this understanding, shall constitute an agreement between our two Governments that shall enter into force on the date of your letter in reply."

I have the honor to confirm that my Government shares this understanding, and that your letter and this reply shall constitute an agreement between our two Governments that shall enter into force on this date.

Sincerely,